

REMARKS

Applicants respectfully request reconsideration of this application. Please cancel claims 10, 18, 19, 33 and 34 without prejudice. Claims 38-44 have been added. Claims 6, 9, 17, 20-23, 32 and 35-37 have been amended to more properly define preexisting claim limitations and are supported by the specification. No new matter has been added.

Double Patenting

Claim 6, is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 09/895,646. Applicants respectfully submit that claim 6, as amended, and claim 1 of copending Application No. 09/895,646, as amended in the preliminary amendment dated April 20, 2004, overcome the nonstatutory double patenting rejection. Accordingly, Applicants respectfully request the rejection to claim 6 be withdrawn.

Rejections Under 35 U.S.C. § 112

Claims 19-23 and 34-37 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants do not concede that claims 19-23 and 34-37 are not patentable as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants reserve their rights to file a continuation application containing such elements should Applicants so desire. Nonetheless,

Applicants respectfully request claims 19 and 34 be cancelled, without prejudice, in order to obtain allowance of the remaining pending claims.

Rejections Under 35 U.S.C. § 102(e)

Claims 6-10, 17-23 and 32-37 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,327,590 of Chidlovskii et al. ("Chidlovskii").

Chidlovskii discloses a system for ranking search results obtained from an information retrieval system including a search pre-processor, a search engine and a search post-processor. The search preprocessor, responsive to a search query, determines the context of the search query by comparing the terms in the search query with a predetermined user context profile. The user's context profile may include, for example, the user's identity, the community or set of communities applicable to the search, and the point of view the user wishes to adopt (e.g., that of a domain expert) for the search. (See column 2, lines 34-44). The search engine, responsive to the search query, generates a search result comprising at least one item obtained from the information retrieval system. (If no items are returned, such as when the search is overly narrow, no ranking is required.) Generally, a great number of items will be generated, which the search engine will provide in its own predetermined form of hierarchical valuation. The search post-processor, responsive to a non-empty search result, ranks each item returned in the search result in accordance with the context of the search query. The ranked results may then be provided or displayed in any normal fashion, such as on a computer display or printed out. If more than one search engine is used, each search engine returns its own list of search results. The post-search processor then ranks all items returned, regardless of

search engine, in accordance with the context of the search query. (See Chidlovskii, column 2, lines 49-64).

Chidlovskii further discloses a coupling of a predetermined user context profile (e.g., user profiling, community profiling or recommender profiling) with the search process. By coupling context profiling with the search process, search results are no longer an isolated event, but are ranked within the context of a particular user or community or recommender system point of view. Depending on the user's context for the search, a different predetermined context profile may be selected, thus customizing the ranking of each particular search.

The user and community profiles are built by analyzing document collections put together by the users and the communities to which the users belong. If any of the retrieved search results are considered relevant to the user or the community, they can be used to tune or modify the particular user or community profile by re-weighting the profile terms. (See Chidlovskii, column 3, lines 7-22).

Chidlovskii further discloses that an important aspect of the system for ranking is the document collection used to generate the context profile. The document collection may include an application program interface (API) for allowing the profilers to query for all documents submitted and/or reviewed by a user (who may be associated with a particular community). (See Chidlovskii, column 5, lines 9-14).

The user profile is created or generated by the user profiler, which constructs a term-weight vector for each user which is extracted from the set of documents submitted and/or reviewed into each of the document collections to which the user participates. (column 5, lines 55-60).

Applicants respectfully submit that Chidlovskii does not disclose each and every element as amended in claims 6, 17, and 32. Specifically, Applicants submit that Chidlovskii does not disclose the elements of or elements similar to registering a list of resource descriptions matching a resource provider at a search broker. Furthermore, Chidlovskii does not disclose the elements of selecting a resource provider upon comparing said list of resource descriptions matching the resource provider and sending the send query to the selected resource provider as claimed. Rather, Chidlovskii uses the user profile, as disclosed above, to sort a search result based on the user preferences stored in the user profile. The user profile and all other profiles as disclosed in Chidlovskii fail to disclose that a resource description received from a resource provider might be used to select a resource provider to send the resource query, as claimed.

Accordingly, Applicants respectfully submit that Chidlovskii does not disclose each and every element as recited in claims 6, 17, and 32. Claims 7-9, 19-23 and 35-37 are dependent (directly or indirectly) on one of the claims 6, 17, and 32; and therefore are patentable at least for the reasons given above. Therefore, Applicants respectfully request the rejection to claims 6-10, 17-23 and 32-37 under 35 USC §102(e) be withdrawn.

In addition, Applicants respectfully submit that new claims 38-44 include elements similar to those recited above. Therefore, Applicants respectfully submit that new claims 38-44 are patentable, at least for the reasons stated above.

CONCLUSION


Applicants respectfully submit that the rejections have been overcome by the amendments and remarks, and that the pending claims are in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the pending claims be allowed.

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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